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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/369,790	08/06/1999	JETHRO F. STEINMAN	120-25410	7258

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EXAMINER

TRUONG, LECHI

ART UNIT PAPER NUMBER

2194

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/369,790

Applicant(s)

STEINMAN ET AL.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-37 are represented for the examination.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-7, 10, 12-16, 19-31, 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709) in view of Cowsar et al (US. Patent 5,615,400) and further in view of Sabatella( US. Patent 5,561,800).

6. As to claim 1, Waldo teaches the invention substantially as claimed including: a interface (objects, col 6, ln 9-12/interface 41, Fig.2, col 4, ln 27-65/ col 8, ln 1-60/ the object fingerprint value, col 6, ln 36-67), a check code generator (a new fingerprint generator, col 2, ln 30-67/ col 6, ln 6-12 and ln 13-18), interface identifier (a fingerprint to identify the type of the object, col 6, ln 14-16), a check code generator that transform said interface into an interface identifier (col 6, ln 6-16).

7. Waldo does not explicitly teach an interface of dynamically linkable component, couples said interface identifier to said dynamically linkable component and an interface verifier that employs said interface identifier to determine a compatibility of said interface of said dynamically linkable component. However, Cowsar teaches an interface of dynamically linkable

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component (the public virtual and non-virtual member functions of such dynamically linked classes, col 2, ln 33-36), couples said interface identifier to said dynamically linkable component (the resource set catalog identifies a plurality of function sets by respective function set Ids, col 3, ln 7-11/ ln 15-22/ ln 40-45/ the a dynamic class catalog which given a class ID, col 5, ln 21-25/ col 10, ln 14-18/ col 173, ln 35-39) and an interface verifier that employs said interface identifier to determine a compatibility of said interface of said dynamically linkable component( a lookup engine coupled with the resource set catalog, and the dispatch engine, is responsive to the particular function set ID to look up a set record for a corresponding function set in the resource set catalog, col 3, ln 16-22/ col 8, ln 32-38/ col 11, ln 35-40/ col 173, ln 40-44).

8. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo and Cowsar because Cowsar's teaching of interface with dynamically linkable component would increase the flexibility of Waldo's system by allowing the clients to dynamically determine the availability and compatibility of classes without recompiling the clients.

9. Waldo and Cowsar do not explicit teach comparing interface identifier with an interface identifier history list representing a history of modifications to said interface, said history list containing at least one member. However, Sabatella teaches comparing interface identifier with an interface identifier history list representing of modification , containing at least one member ( placing names for all modified routines in the history file; and combine the names from the history file, and the name of routines in the dynamically loadble into a sing list of name to cause the modified routine to be linked when the same name is found in both files, col 107, ln 35-42 / col 3, ln 45-50/ col 4, ln 60-65/ col 6, ln 20-25).

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10. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar and Sabatella because Sabatella's comparing interface identifier with an interface identifier history list representing a history of modifications to said interface containing at least one member would increase the integrity of Waldo and Cowsar's systems by providing faster linking portable to a variety of systems and environments and allowing the new code and data to be easily appended.

11. **As to claim 3**, Waldo teaches a types declaration file (a object fingerprint table 32, col 6, ln 37-67).

12. **As to claim 4**, Cowsar teaches a version (the version of function set, col 60, ln 39-67).

13. **As to claims 5, 6**, Cowsar teaches a second dynamically linkable component (the form of new shared class libraries, col 2, ln 40-67, the second level dispatch routine, col 3, ln 39-50/ col 8, ln 21-31, Fig 5A, 92).

14. **As to claim 7**, Cowsar teaches a history list (Viable record, col 8, ln 56-61).

15. **As to claim 10**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

16. **As to claim 12**, Cowsar teaches declaration file (this declaration defines the ID of the library, col 57, ln 45-51).

17. **As to claims 13-15**, they are apparatus claims of claims 4-6; therefore, they are rejected for the same reasons as claims 4-6 above.

18. **As to claim 16**, Cowsar teaches interface identifier (function set ID, col 3, ln 13-32), a history list (TClass record, col 11, ln 32-45).

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**19. As to claims 19-21**, they are apparatus claims of claims 8, 10, 12, 13; therefore, they are rejected for the same reasons as claims 8, 10, 12, 13 above.

**20. As to claim 22**, it is an apparatus claim of claim 14; therefore, it is rejected for the same reason as claim 14 above. In additional, Cowsar teaches interface verifier (a lookup engine, col 3, ln 13-28).

**21. As to claims 23-24**, they are apparatus claims of claims 15, 24; therefore, they are rejected for the same reasons as claims 15, 24 above.

**22. As to claim 25**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

**23. As to claims 26-30**, they are apparatus claims of claims 20, 21, 5, 6, 16; therefore, they are rejected for the same reasons as claims 20, 21, 5, 6, 16 above.

**24. As to claim 31**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Waldo teaches a plurality of sensors and controllable devices (video display unit, operator input device, col 3, ln 24-67/ fig.1).

**25. As to claim 33**, it is an apparatus claim of claim 12; therefore, it is rejected for the same reason as claim 12 above.

**26. As to claim 34**, it is an apparatus claim of claim 4; therefore, it is rejected for the same reason as claim 4 above. In additional, Cowsar teaches the term dynamic linking systems (col 2, ln 1-26), the form of new-shared class libraries (col 2, ln 40-67).

**27. As to claims 35, 36**, they are apparatus claims of claims 6, 5, 7; therefore, they are rejected for the same reasons as claims 6, 5, 7 above.

**28.** Claims **8, 17, 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709), Cowsar (U.S Patent 5,615,400), in view Sabatella( US. Patent 5,561800), as applied to claim 1 above, and further in view of Tate et al (US. Patent 5,991,774).

**29.** As to claim **8**, Waldo, Cowsar and Sabatella do not teach a check sum, a cyclic redundancy check. However, Tate teaches a check sum, a cyclic redundancy check (a check sum, CRC, col 1, ln 14-43/ col 2, ln 1-33/ col 7, ln 14-48).

**30.** It could have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar, Sabatella and Tate because Tate's a check sum, a cyclic redundancy check would improve the efficiency of Waldo, Cowsar and Sabatella's systems by allowing protection of files and installed version software on any program to against viruses, tampering, or corruption.

**31.** As to claims **17, 37**, they are apparatus claims of claim 8; therefore, they are rejected for the same reason as claim 8 above.

**32.** Claims **2, 11, 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709), Cowsar (U.S Patent 5,615,400) in view Sabatella( US. Patent 5,561800), as applied to claim 1 above, and further in view of Lipe (US. Patent 5,548,759).

**33.** As to claim **2**, Waldo, Cowsar and Sabatella do not teach a textual ... a portion of said interface. However, Lipe teaches a textual ... a portion of said interface (text file, col 5, ln 1-65).

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34. It could have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar, Sabatella and Lipe because Lipe's text file would improve the efficiency of Waldo, Cowsar, Sabatella's systems by providing the generator transform interface more available to use for any file system formats.

35. As to claims 11, 32, they are apparatus claims of claim 2; therefore, they are rejected for the same reason as claim 2 above.

36. Claims 9, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709), Cowsar (U.S Patent 5,615,400), in view of Sabatella( US. Patent 5,561,800), as applied to claims 1 and 10 above, and further in view Levy (US. Patent 6,505,160 B1).

36. As to claim 9, Waldo, Cowsar and Sabatella do not explicit teach filtering. However, Levy teaches filtering (filtered version, col 9, ln 45-61/ col 16, ln 54-57).

37. It could have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar, Sabatella and Levy because Levy's filtering would improve the throughput of Waldo, Cowsar, Sabatella 's systems by allowing only a portion of a file to create a file ID.

38. As to claim 18, it is an apparatus claim of claim 9; therefore, it is rejected for the same reason as claim 9 above.

#### **Response to the argument**



29. Applicant's arguments filed 12/28/2005 have been considered but are moot in view of the new ground(s) of rejection. Applicant amended the claims. Sabatella's reference meets the amended claims.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

March 14, 2006

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER